Where land is taken for a country highway, leaving the fee in the abutting owner, it is impliedly dedicated to the use which the public may in the future require. *Palmer* v. *Electric Co.*, 158 N. Y. 231. And that the use of bicycles has become so extensive and almost universal that the public require that a portion of the highway be set aside for their exclusive use.

CONTRIBUTORY NEGLIGENCE—CHILD PLAYING IN STREET—IMPUTED NEGLIGENCE OF PARENT.—66 N. Y. Sup. 280.—Child, three years old, who had been playing on the sidewalk, ran out into the street, and was run over and killed by a truck. *Held*, it was not negligence *per se* on the part of the parents to permit the child to go unattended upon the public street.

This subject is in a very unsatisfactory state, but this decision, concurrently with other recent decisions on the same point, seems to take a more practical and reasonable view than the previous one held by the courts of the same state. See *Birkett* v. *Ice Co.*, 110 N. Y. 504; and, *contra*, *Hartfield* v. *Roper*, 21 Wendell 615. Also, *Cooley on Torts* pp. 680-683, and cases therein cited.

HOMICIDE—RIGHT TO COLORED MAN ON JURY—BULLOCK V. STATE, 47 Atl. 63 (N. J.).—The accused, a colored man, was convicted of murder. At the return of the panel, the defendant's counsel challenged the array, on the ground that no colored man was returned on the panel. Challenge overruled and exception taken. *Held*, that unless return was made designedly it did not deprive him of the rights granted by the Fourteenth amendment.

This is certainly the law. But if colored men had been wilfully excluded in the selection of the jury, it would have been a violation of the Act of Congress of 1878, forbidding such discrimination. *Strauder* v. *West Virginia*, 100 U. S. 303.

INJUNCTION—THREATENING SUITS FOR INFRINGEMENT OF PATENTS—DAVIDSON ET AL V. NATIONAL HARROW CO., 103 Fed. 360.—Defendant sent circulars threatening the customers of the complainant with infringement suits. *Held*, on motion for an injunction, that it would not be granted as long as the propriety of granting it is doubtful and all allegations of fraud, notice and bad faith are absent.

The decision in this case is one of a number that have appeared since *Kidd* v. *Horry*, 28 Fed. 773. It shows more clearly than any other what the attitude of the court will be hereafter. The fact that the plaintiff may have an adequate remedy at law makes the granting of injunctions in such cases as these a doubtful matter, consequently the court is rightly conservative in refusing to grant an injunction except on the clearest case of provocation. See *A. B. Farquahar Co. Ltd.* v. *National Harrow Co.*, 99 Fed. 160. 9 *Yale Law Journal* 333.

INSOLVENT CORPORATIONS—CLAIMS FOR SERVICES—LENOIR ET AL V. LUIVILLE IMPROVEMENT CO., 36 S. E. 185.—A corporation having gone into insolvency, a receiver was duly appointed. The president and secretary of the corporation sued for the balance of their salaries due while the corporation was in the hands of the receiver. *Held*, they could not recover, as there was no breach of a contract.

Two views have been put forth on this question: The New Jersey court, in *Spader* v. *Manufacturing Co.*, 20 Atl. 378, held that claims for damages arising from breaches of contract for services, caused by the insolvency of the defendant corporation, are entitled to be paid *pro rata* out of the funds in the